



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ - ೪ಎ Part - IVA	ಬೆಂಗಳೂರು, ಶನಿವಾರ, ೦೨, ಜುಲೈ, ೨೦೨೨(ಆಷಾಢ, ೧೧, ಶಕವರ್ಷ, ೧೯೪೪) BENGALURU, SATURDAY, 02, JULY, 2022(ASHADHA, 11, SHAKAVARSHA, 1944)	ನಂ. ೩೬೭ No. 367
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GOVERNMENT OF KARNATAKA

No. FD 6 PES 2021

Karnataka Government Secretariat
Vidhana Soudha,
Bengaluru, dated: 01st July 2022.

NOTIFICATION-II

Whereas the draft of the following rules further to amend the Karnataka Excise (Brewery) Rules, 1967, was published as required by sub-section (1) of Section 71 of the Karnataka Excise Act, 1965 (Karnataka Act 21 of 1966) in Notification No. FD 6 PES 2021, dated: 07.04.2022 in Part-IVA of the Karnataka Gazette (Extraordinary) No.221 dated:07.04.2022 inviting objections and suggestions from all persons likely to be affected within thirty days from the date of its publication in the Official Gazette.

And, whereas the said Gazette was made available to the public on 07.04.2022.

And, whereas objections and suggestions were received in respect of the said draft by the State Government have been considered.

Now, therefore, in exercise of the powers conferred by Section 71 of the Karnataka Excise Act 1965 (Karnataka Act 21 of 1966) the Government of Karnataka hereby makes the following rules, namely:-

RULES

1. Title and commencement:- (1) These rules may be called the Karnataka Excise (Brewery) (Amendment) Rules, 2022.

(2) They shall come into force from the date of their final publication in the Official Gazette.

2. Amendment of rule 2:-In the Karnataka Excise (Brewery) Rules, 1967, (hereinafter referred to as the ‘said rules’) in rule 2, after clause (g), the following shall be inserted, namely:-

“(gg) “Craft brewery” means a small brewery with an installed capacity not exceeding 2 Lakh litres per annum in a place having not less than 4,000 sq. feet built-up area, wherein only bottled Beer is manufactured, and includes every place therein, where bottled Beer is stored or issued”.

3. Insertion of new rule 3-D:- After rule 3-C of the said rules, the following shall be inserted, namely:-

“3-D. Licence for Craft brewery.- (1) Any person desirous of obtaining a licence for a Craft brewery shall apply to the Excise Commissioner in Form 1-B through the Deputy Commissioner. The application shall be accompanied by a treasury challan for having credited the fee prescribed in rule 5 and a full description (hereinafter called an “Entry”) of the premises or the plan of the proposed building and utensils in which the purpose of and distinguishing marks on each room, place and vessels shall be clearly specified. The entry shall be checked either by the Deputy Commissioner or some other officer duly authorized by him in this behalf, who shall certify to the fact, if he finds it correct, and forward it to the Excise Commissioner. If the Excise Commissioner is satisfied that the application is in accordance with these rules, that the premises in which the applicant proposes to manufacture bottled Beer and the apparatus he proposes to use are suitable he may grant the licence to the applicant in Form 2-A, subject to these rules and the conditions of the licence.

(2) The Excise Commissioner may, at his discretion refuse the grant or renewal of Craft Brewery licence.

4. Amendment of rule 5:- In rule 5 of the said rules, after the words “rupees twenty-seven lakhs per year”, the words “and the fee for grant or renewal of a Craft Brewery licence shall be rupees five lakhs per year” shall be inserted.

5. Amendment of rules 7-A, 8, 8-A, 9, 12, 14, 17, 21, 22, 26:- In rules 7-A, 8, 8-A, 9, 12, 14, 17, 21, 22 and 26 of the said rules, for the word “Brewery”, wherever

it occurs, the words “Brewery or Craft Brewery” and the word “Breweries”, wherever it occurs, the words “Breweries or Craft Breweries” shall be substituted.

6. Insertion of new Form 1-B:- After Form 1-A and entries relating thereunder of the said rules, the following Form shall be inserted, namely:-

FORM 1-B
(See Rule 3-D)
Application for the Craft brewery licence

To,

The Excise Commissioner in Karnataka, Bengaluru

1. Name or names of the applicant with full postal address
2. Whether individual or firm or Company-
 - a. If a firm, furnish the names and addresses of all partners and copy of the Partnership deed;
 - b. If a Company, furnish a copy of the Memorandum of Association and Articles of Association together with names and addresses of all the Directors of the Company.
3. The amount of capital proposed to be invested
4. The name of the place and the site in which the building for housing the Craft brewery is situated (description and plans of the building to be furnished)
5. Description of the vessels and other permanent apparatus
6. Approximate production capacity of the Craft brewery
7. Date from which the applicant desires to start the Craft brewery
8. Whether the applicant has enclosed the treasury challan for having credited the prescribed licence fee and additional licence fees in favour of the Government.

DECLARATION

1. I/We hereby declare that the particulars mentioned in the application are correct.
2. I/We are not convicted of any offence under the Karnataka Excise Act or Rules made thereunder or any of the cognizable or non-bailable offence.
3. I/We have gone through the Karnataka Excise (Brewery) Rules, 1967, relating to the licence applied for by me/us hereunder and am/are conversant with the provisions thereof.
4. I/We are hereby undertake to abide by the conditions of the licence and provisions of the Karnataka Excise Act, 1965 and the Rules and regulations made thereunder

Place:

Date: **“Name and signature of the applicant”**

7. Insertion of new Form 2-A:- After Form 2 and entries relating thereunder of the said rules, the following Form shall be inserted, namely:-

“FORM 2-A (SEE RULE 3-D) CRAFT BREWERY LICENCE

I,Excise Commissioner in Karnataka, under the provisions of Rule 3-D of the Karnataka Excise (Brewery) Rules, 1967, hereby licence you, (hereinafter called the licensee) to manufacture, store and sell bottled beer in the Craft Brewery atfromtosubject to the following conditions to be observed by you, the licensee:-

CONDITIONS

1. The licensee shall be bound by the provisions of the Karnataka Excise Act, 1965, Notifications, Rules and Orders made or issued thereunder and the Karnataka Excise (Brewery) Rules, 1967.
2. The licensee shall observe such rules as may prescribed by the State Government or such instructions and Orders as may be issued by the Excise Commissioner from time to time in regard to the control of the manufacture, possession and sale or issue of bottled beer.

3. The licensee shall be bound by such Orders as may be passed by the State Government or the Excise Commissioner concerning the process of manufacture to be adopted and the standard and the quality of beer to be produced.
4. The licensee shall provide a saccharometer and a thermometer of a kind to be approved by the Excise Commissioner for testing the gravity of wort in the Craft Brewery. A hydrometer should also be provided for testing the strength of the beer. The stores, fermentation rooms, all vessels and apparatus in the Craft Brewery shall be kept clean. The premises of the Craft Brewery should also be kept clean and in sanitary conditions.
5. The licensee is prohibited from manufacturing any of the bottled beers, save the ones specifically instructed.
6. The licensee shall issue bottled beer only to a person holding a distributor licence under the Karnataka Excise (Sale of Indian and Foreign Liquors) Rules, 1968.
7. The account of the transactions in the Craft Brewery relating to wort and beer should be maintained in such forms and in such manner as may be required by the Excise Commissioner.
8. The licensee shall furnish any statistics relating to the wort and beer that may be required when called upon to do so by any competent authority.
9. For any breach of the rules or the conditions of the licence, the Excise Commissioner may after giving a fortnight's notice to the licensee suspend or cancel the licence. The licensee shall not be entitled to any compensation on account of such suspension or cancellation.

EXCISE COMMISSIONER”

8. Amendment of Form 3:- In Form 3 the said rules, in the heading for the words “to be retained at the Brewery”, the words “to be retained at the Brewery/Craft brewery”, shall be substituted.

By Order and in the name
of the Governor of Karnataka

(Manjula Nataraj)
Under Secretary to Government,
Finance Department (Excise)